

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO.: 22-80285-CIV-CANNON

TARA DUNCAN,

Plaintiff,

v.

**BAYO ADENIYI, and
DEPENDABLE TESTING CENTER,**

Defendants.

JOINT SCHEDULING REPORT

Plaintiff Tara Duncan, and Defendants Bayo Adeniyi (“Defendant Adeniyi”) and Dependable Testing Center (“Defendant DTC”), by and through their respective undersigned counsel and pursuant to Local Rule 16.1(b), and this Court’s Order Requiring Joint Scheduling Report and Certificates of Interested Parties [ECF 122.], hereby file this Joint Scheduling Report and Proposed Order (attached hereto as **Exhibit “A”**), and state as follows:

A. Likelihood of Settlement

At this time, the likelihood of settlement is unlikely.

B. Likelihood of Appearance in the Action of Additional Parties

The Parties at this time do not anticipate the appearance of any additional parties.

C. Proposed Limits on Time

- a. Join Other Parties and to Amend the Pleadings:** The Parties refer the Court to the attached proposed Scheduling Order and Pre-Trial Schedule (**Exhibit A**).
- b. File and Hear Motions:** The Parties refer the Court to the attached proposed Scheduling Order and Pre-Trial Schedule (**Exhibit A**).

c. Complete Discovery: The Parties refer the Court to the attached proposed Scheduling Order and Pre-Trial Schedule (**Exhibit A**).

D. Proposals for the Formulation and Simplification of Issues, Including the Elimination of Frivolous Claims or Defenses, and the Number and Timing of Motions for Summary Judgment or Partial Summary Judgment

The Parties shall make their best efforts to simplify the issues if it becomes apparent through the course of discovery that any claim or defense is not supported by the evidence.

E. Necessity or Desirability of Amendments to the Pleadings

The Parties do not anticipate any necessity to amend the Pleadings at this time.

F. The Possibility of Obtaining Admissions of Fact and of Documents, Electronically Stored Information or Things which Will Avoid Unnecessary Proof, Stipulations Regarding Authenticity of Documents, Electronically Stored Information or Things, and the Need for Advance Rulings from the Court on Admissibility of Evidence

The Parties believe that, through stipulations and admissions regarding basic facts, the identity of witnesses and authenticity of certain documents, they can streamline evidentiary matters before the Court and avoid unnecessary disputes and use of cumulative evidence. The Parties will work cooperatively to narrow and identify any areas of dispute on evidentiary matters anticipated at trial and to present such disputes, to the extent possible, in pre-trial motions *in limine*.

G. Suggestions for the Avoidance of Unnecessary Proof and of Cumulative Evidence

The Parties believe they can work cooperatively before trial to develop an efficient procedure for the presentation of evidence.

H. Referral of Matters to Magistrate Judge

The Parties have no objection to referring discovery motions to the magistrate judge assigned to this case, but in doing so, they do not waive the right to object to and appeal

any decisions of the magistrate judge pursuant to Federal Rule of Civil Procedure 72(a).

The Parties do not consent to the use of the magistrate judge for dispositive motions or for trial.

I. Preliminary Estimate of Time Required for Trial

The Parties estimate that a 3-4 day trial is appropriate given the facts of this case.

If this estimate changes, the Parties will advise the Court in advance of the trial period at the pre-trial conference.

J. Requested Date or Dates for:

- a. Conference Before Trial:** The Parties refer the Court to the attached proposed Scheduling Order and Pre-Trial Schedule (**Exhibit A**).
- b. Final Pretrial Conference:** The Parties refer the Court to the attached proposed Scheduling Order and Pre-Trial Schedule (**Exhibit A**).
- c. Trial:** The Parties refer the Court to the attached proposed Scheduling Order and Pre-Trial Schedule (**Exhibit A**).

K. Other Issues About:

- a. Disclosure, Discovery, or Preservation of Electronically Stored Information, Including the Form or Forms in Which it Should Be Produced**
None at this time.
- b. Claims Of Privilege or of Protection as Trial-Preparation Materials, Including -- if the Parties Agree on a Procedure to Assert Those Claims After Production - Whether to Ask the Court to Include their Agreement in an Order Under Federal Rule of Evidence 502**
None at this time.
- c. When The Parties Have Agreed to use the ESI Checklist**
None at this time.

L. Any other Information that Might be Helpful to the Court in Setting the Case for Status or Pretrial Conference

None at this time.

Dated: December 2, 2024.

Respectfully submitted,

KWG LEGAL, PLLC

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EXHIBIT A

**UNITED STATES DISTRICT COURT
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CASE NO.: 22-80285-CIV-CANNON

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**BAYO ADENIYI, and
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Defendants.

JOINT PROPOSED SCHEDULING ORDER

A. Pursuant to Local Rule 16.1(a) and this Court's Order Requiring Joint Scheduling Report [ECF 16], the Parties propose that this matter be assigned to a Standard Track.

B. The parties adhere to the following discovery schedule:

Activity	Date
Trial Period to Commence.	November 2025
Parties exchange initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1). The parties are reminded that pursuant to S.D. Fla. L.R. 26.1(b), initial disclosures shall not be filed with the Court unless an exception noted in the Local Rules applies.	December 2, 2024
Plaintiff shall file motions to amend the pleadings or join parties. Defendants shall assert any cross-claims.	January 13, 2025
Parties shall complete all fact discovery and file all motions pertaining to fact discovery.	April 30, 2025

Plaintiff shall disclose experts, expert witness summaries and reports, as required by Fed. R. Civ. P. 26(a)(2).	June 6, 2025
Defendants shall file motions to amend the pleadings or join parties, and to amend affirmative defenses to identify John Doe entities/people.	February 3, 2025
Defendants shall disclose experts, expert witness summaries and reports, as required by Fed. R. Civ. P. 26(a)(2).	June 20, 2025
Parties shall exchange rebuttal expert witness summaries and reports as required by Fed. R. Civ. P. 26(a)(2).	July 11, 2025
Parties shall complete all expert discovery and file all motions pertaining to expert discovery.	August 11, 2025
Parties shall complete mediation and file a mediation report with the Court within 5 days of completion of the mediation.	September 12, 2025
Parties shall file all dispositive pre-trial motions and memoranda of law. Parties shall also file any motions to strike or exclude expert testimony, whether based on Federal Rule of Evidence 702 and <i>Daubert v. Merrell Dow Pharmaceuticals, Inc.</i> , 509 U.S. 579 (1993), or any other basis.	September 19, 2025
The Parties shall file and serve the pretrial disclosures prescribed by Fed. R. Civ. P. 26(a)(3).	September 23, 2025
Parties shall each file all motions <i>in limine</i> .	October 3, 2025
Parties shall file their joint pretrial stipulation, witness lists, and exhibit lists in accordance with Rule 16.1(d) and (e). Parties shall also file final proposed jury instructions or conclusions of law.	September 26, 2025

Date certain for resolution of all pretrial motions by the Court.	October 24, 2025
Date certain for the pretrial conference (if one is to be held).	October 24, 2025

C. Any agreements or issues to be decided by the Court regarding the preservation, disclosure, and discovery of documents, electronically stored information, or things.

None at this time.

D. Any agreements the parties reach for asserting claims of privilege or protection of trial preparation material after production.

None at this time.

E. A limitation of the time to join additional parties and to amend the pleadings.

Please see Section B.

F. A space for insertion of a date certain for filing all pretrial motions.

Please see Section B.

G. A space for insertion of a date certain for resolution of all pretrial motions by the Court.

Please see Section B.

H. Any proposed use of the Manual on Complex Litigation and any other need for rule variations, such as on deposition length or number of depositions.

None at this time.

I. A space for insertion of a date certain for the date of pretrial conference (if one is to be held).

Please see Section B.

J. A space for insertion of the date certain for trial.

November 3, 2025.

ORDERED and SIGNED in Chambers at Fort Pierce, Florida, this _____ day of _____ 2025.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

Copies furnished to: All counsel and parties of record.